

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

Bentley Industries, Inc.,

Plaintiff,

V.

Longevity Network, LLC, et al.,

## Defendants.

Case No.: 2:12-cv-1067-JAD-NJK

## Order re:

**Motion for Summary Judgment [Doc. 78]  
Motion to Dismiss [Doc. 79]**

## ALL RELATED CLAIMS

Based upon the findings and conclusions stated on the record during the August 18, 2014, hearing on Longevity's motion for summary judgment [Doc. 78] and Bentley's motion to dismiss [Doc. 79], IT IS HEREBY ORDERED that:

Longevity's motion for summary judgment [Doc. 78] is DENIED;

Bentley's motion to dismiss [Doc. 79] is GRANTED in part and DENIED in part:

1. It is GRANTED as to Counts I, II, and VI, as Longevity concedes that these claims should be dismissed;
2. It is GRANTED as to Counts VII, VIII, and X on statute-of-limitations grounds;
3. It is GRANTED as to Count XII for failure to plead fraud with particularity; Longevity has 10 days leave to file a motion for leave to amend its counterclaim to plead Count XII with greater particularity;
4. It is DENIED as to Counts III, IV, ~~V~~, IX, XI, XIII, and XIV.

DATED August 19, 2014.

JENNIFER A. DORSEY  
UNITED STATES DISTRICT JUDGE